

REMARKS

In response to the *Ex Parte Quayle* Office Action mailed April 9, 2008, Applicants respectfully request reconsideration. Claims 3-12 are allowed.

Information Disclosure Statement

Applicants filed an Information Disclosure Statement (IDS) on February 19, 2008 along with a request for Continued Examination (RCE) so that the IDS would be considered by the U.S.P.T.O prior to issuance of the present application. In response, the Office Action objected to the IDS under 37 CFR 1.56(c) because it did not contain a concise explanation of the relevance of two cited references (B1 and B4) that are not in the English language.

With respect to foreign reference B1 (EP 0669760), enclosed herewith is a copy of the abstract in English and a machine translation of the text from esp@cenet. With respect to foreign reference B4 (FR 2536922), enclosed herewith is a copy of the abstract in English.

The relevance of these references is that they have been cited in one or more other patent application(s) that are also owned by assignee Pinpoint Inc. Applicants have cited these references in the present application out of an abundance of caution in complying with the duty of disclosure. However, upon closer review, foreign reference B4 appears to be irrelevant to the patentability of the present claims because foreign reference B4 relates to a "novel logic comparator." Nevertheless, the Examiner is requested to review the English abstract of foreign reference B4 to make an independent relevance determination, and not to rely on any representation by Applicants. With respect to foreign reference B1, Applicants' representatives are not aware of any further information about the relevance of this reference outside of the text of the reference itself. The Examiner is requested to review the abstract and the machine translation of foreign reference B4 to determine whether this reference is material to patentability.

With respect to the Non-Patent Literature cited in the IDS, Applicants "blacked-out" documents C7 and C43 because these documents were not available to send to the U.S.P.T.O. at the time the IDS was filed. These references were also cited in one or more other patent application(s)

that are also owned by Pinpoint Inc. Upon closer review, however, these references appear to be irrelevant to the claims of the present application because document C7 relates to text compression and document C43 relates to analog MOS integrated circuits for signal processing. Since these references appear to be irrelevant, Applicants do not plan to send them to the Examiner for review. If the Examiner wishes to make an independent determination, Applicants will obtain these references and provide them to the Examiner.

Objections to the Specification

The Office Action objected to the substitute specification because there were several “bracketed” spaces (placeholders) in the present application. In response, these placeholders have been deleted from the substitute specification. No new matter has been added. Accordingly, withdrawal of these objections is respectfully requested.

Oath or Declaration

Applicants note that a signed oath or declaration from the inventors appears to be missing from the U.S.P.T.O.’s records (as reflected on Private PAIR), and Applicants are unable to locate a signed oath or declaration. While the IFW in Private PAIR contains a copy of a transmittal letter stating that a declaration was being filed along with the application, none is found. There is a document listed as “Oath or Declaration” but the document is, in fact, a Power of Attorney. The file inherited by the current attorneys of record was inherited from the original attorneys of record when Mr. Hunn died and that file also lacks a copy of an inventors’ declaration. To address the issue, Applicants representatives are working to obtain signed declarations from all of the inventors, however, some of the inventors’ signatures have not yet been obtained. Signed copies of the declarations will be provided to the U.S.P.T.O. as soon as they are available. The Examiner is requested to notify the undersigned if an oath or declaration is present in the U.S.P.T.O.’s paper file.

Conclusion

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Dated: October 8, 2008

Respectfully submitted,

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